

Version
as at 1 July 2022



Animal Products (Exemptions and Inclusions) Amendment Order 2008

(SR 2008/63)

Animal Products (Exemptions and Inclusions) Amendment Order 2008: revoked, on 1 July 2022, pursuant to regulation 267(b) of the Animal Products Regulations 2021 (SL 2021/400).

Anand Satyanand, Governor-General

Order in Council

At Wellington this 10th day of March 2008

Present:

His Excellency the Governor-General in Council

Pursuant to sections 9 and 49 of the Animal Products Act 1999, His Excellency the Governor-General, on the recommendation of the Minister for Food Safety made in accordance with those sections, and acting on the advice and with the consent of the Executive Council, makes the following order.

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Note

The Parliamentary Counsel Office has made editorial and format changes to this version using the powers under subpart 2 of Part 3 of the Legislation Act 2019.

Note 4 at the end of this version provides a list of the amendments included in it.

This order is administered by the New Zealand Food Safety Authority.

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Order

1 Title

This order is the Animal Products (Exemptions and Inclusions) Amendment Order 2008.

2 Commencement

This order comes into force on 30 June 2008.

3 Principal order amended

This order amends the Animal Products (Exemptions and Inclusions) Order 2000.

4 Interpretation

Clause 3 is amended by adding the following definition:

petfood means any material prepared and traded as food for cats or dogs, and includes any such product intended for cats or dogs but fed to other pets or captive animals.

5 New clause 7 substituted

Clause 7 is revoked and the following clause substituted:

7 **Agricultural compounds and veterinary medicines covered by Agricultural Compounds and Veterinary Medicines Act 1997**

- (1) Parts 2 to 4 of the Act do not apply to the secondary processing of animal products or the processing of dairy material if the products or material are, or are being processed to become or form part of, an agricultural compound or veterinary medicine that is subject to the Agricultural Compounds and Veterinary Medicines Act 1997, except as provided in subclauses (3) to (5).
- (2) The exemption in this clause includes the secondary processing of animal products or the processing of dairy material if the products or material are, or are intended to become or form part of,—
 - (a) a substance or compound that, under regulations made under section 75(1)(a) of the Agricultural Compounds and Veterinary Medicines Act 1997, may be imported, manufactured, sold, or used as an agricultural compound without registration under that Act; or

- (b) a substance or compound that, under regulations made under section 75(1)(b) of that Act must be notified to the Director-General before importation, manufacture, sale, or use as an agricultural compound.
- (3) The exemption in this clause does not obviate the need for compliance with any applicable requirements of Parts 2 to 4 of the Act if the agricultural compound or veterinary medicine (including any petfood within this description) is intended for export in circumstances that would require an official assurance to be issued, and the official assurance may only be issued on the basis of compliance with those requirements.
- (4) The exemption in this clause does not obviate the need for a risk management programme in respect of rendering operations or blood-drying operations that require a risk management programme under clause 20.
- (5) The exemption in this clause does not obviate the need to comply with any applicable requirements of Parts 2 to 4 of the Act in relation to petfood that is raw meat or other animal material or animal product that results from the death of the source animal unless—
- (a) the raw meat or animal material or animal product has been rendered; or
- (b) the raw meat or animal material or animal product—
- (i) is acquired in a ready-for-sale state; and
- (ii) has been subject to primary processing in accordance with a registered risk management programme by an earlier processor.

6 Processing of certain dairy products that are food

Clause 7B is amended by adding the following subclause:

- (3) The exemption in this clause does not obviate the need for compliance with any applicable provisions of Parts 2 to 4 of the Act if the product or material to which this clause applies is intended for export in circumstances that would require an official assurance to be issued, and the official assurance may be issued only on the basis of compliance with those provisions.

Diane Morcom,
Clerk of the Executive Council.

Explanatory note

This note is not part of the order; but is intended to indicate its general effect.

This order, which comes into force on 30 June 2008, amends the Animal Products (Exemptions and Inclusions) Order 2000—

- to provide, in the case of petfood, that the exemption in clause 7 allowing processors of animal products that are agricultural compounds and veterinary med-

icines not to comply with requirements of Parts 2 to 4 of the Animal Products Act 1999 (including the need to have a risk management programme) only applies to secondary processors of petfood who are processing animal material or animal product—

- that has previously been rendered; or
- that is acquired in a ready-for-sale state (for example, dog rolls or chews, raw mince tubs), and was the subject of primary processing in accordance with an earlier risk management programme (*new clause 7(5)*).

Animal feeds derived from milk and eggs and other products of living animals are not affected by the amendment:

- to ensure that an exemption under clause 7B for certain dairy products will not apply where an official assurance is required for the export of the products as food.

Issued under the authority of the Legislation Act 2019.
Date of notification in *Gazette*: 13 March 2008.

Notes

1 *General*

This is a consolidation of the Animal Products (Exemptions and Inclusions) Amendment Order 2008 that incorporates the amendments made to the legislation so that it shows the law as at its stated date.

2 *Legal status*

A consolidation is taken to correctly state, as at its stated date, the law enacted or made by the legislation consolidated and by the amendments. This presumption applies unless the contrary is shown.

Section 78 of the Legislation Act 2019 provides that this consolidation, published as an electronic version, is an official version. A printed version of legislation that is produced directly from this official electronic version is also an official version.

3 *Editorial and format changes*

The Parliamentary Counsel Office makes editorial and format changes to consolidations using the powers under subpart 2 of Part 3 of the Legislation Act 2019. See also PCO editorial conventions for consolidations.

4 *Amendments incorporated in this consolidation*

Animal Products Regulations 2021 (SL 2021/400): regulation 267(b)